

## **BY-LAWS**

### **1. ORGANIZATION OF THE COMMISSION**

#### **1.1 General Assembly of the National Committees**

The dates and locations of meetings shall be set by the Board of Administration in consultation with the National Committees.

#### **1.2 Board of Administration**

1.2.1 Two of the Vice-Presidents shall be responsible for the specific activities of technical affairs and publications.

1.2.2 Nominations for Officers, with agreement of the nominees, may be made by the Board of Administration or by National Committees. Nominations by the Board of Administration must be sent to the National Committees at least eight months before the midterm meeting of the General Assembly. Nominations by a National Committee, endorsed by at least two other National Committees, must reach the General Secretary at least four months before the midterm meeting of the General Assembly. The General Secretary circulates these additional nominations at least three months before the General Assembly meeting.

1.2.3 On the basis of these nominations an election will be conducted at the midterm meeting of the General Assembly. The President shall be elected first, the Vice-Presidents shall be elected next in separate ballots; the first for Vice-President for Technical Affairs, the second for Vice-President for Publications, and the others for Vice-Presidents without portfolio. Finally the Secretary and the Treasurer shall be elected, each by separate ballot. Elections shall be by a simple majority vote of the General Assembly. The name of any unsuccessful candidate in one ballot may be added to the list of candidates for one or more of the subsequent ballots.

1.2.4 The Board of Administration shall approve:

- Terms of Reference and Working Programmes of the Divisions and Technical Committees,
- the establishment of Technical Committees and the appointment of Technical Committee Chairmen,
- Associate Directors of Divisions,
- all CIE technical publications,
- technical programmes of Sessions,
- holding of CIE symposia,
- Codes of Procedure for the administration of the Commission and By-Laws.

1.2.5 When a member of the Board of Administration attends a scientific or technical Congress or meeting held by a national or international organization, he may act, at the request of the President, as an official representative of the Commission. He may not, however, enter into any engagement on behalf of the Commission which requires the prior approval of the Board of Administration.

1.2.6 The minutes of all administrative committee meetings shall be sent to the Central Bureau.

1.2.7 Division Directors Committee

The Division Directors Committee is chaired by the Vice-President Technical, all Division Directors are Members.

1.2.8 Finance Committee

The Treasurer shall be assisted in his work by a Finance Committee. The Finance Committee is chaired by the Treasurer who appoints members on the proposal of NCs upon invitation from the Treasurer. One of the members should be a professional accountant from the country that hosts the CB.

1.2.9 Publication Board

The task of the Publication Board is to advise the Board of Administration on all matters pertaining to CIE publications.

Members of the Publication Board are: Vice-President Publications, Treasurer, Vice-President Technical, Central Bureau, Division representatives. Any other Board members as well as designated representatives of National Committees and Associate National Committees can attend as Observers.

1.2.10 Personnel Committee

The Personnel Committee is chaired by the President. The Treasurer and the Secretary are Members.

## 1.3 Membership

### 1.3.1 National Committees and Associate National Committees

The membership of a newly admitted National Committee or Associate National Committee will only become effective, after the first year's dues payment has been received on the CIE account.

### 1.3.2 Supportive Members

The rights of the different classes of Supportive Members are:

- *basic*:
  - to appoint a representative to attend Division Meetings and General Assembly without voting rights
  - to have the right to use the logo « Basic Supportive Member of the CIE » on their letterhead
  - to submit for publication in CIE News once per year an article of up to 2 pages on their technical achievements
- *silver*:
  - to appoint a representative to attend Division Meetings and General Assembly without voting rights
  - to have the right to use the logo « Silver Supportive Member of the CIE » on their letterhead
  - to get one free copy of new publications
  - to submit for publication in CIE News once per year an article of up to 2 pages on their technical achievements
  - exploitation rights for internal use of CIE publications, excluding CIE/ISO and CIE/IEC Standards
  - to access electronic CIE drafts in the same way as Division Members (but without voting right)

- *gold*:
- to appoint a representative to attend Division Meetings and General Assembly without voting rights
- to have the right to use the logo « Gold Supportive Member of the CIE » on their letterhead
- to get one free copy of new publications
- to submit for publication in CIE News once per year an article of up to 3 pages on their technical achievements
- exploitation rights for internal and external use (reproduction of CIE publications and CIE standards in material describing their products, excluding CIE/ISO and CIE/IEC Standards, limited to 50% of the original content, provided the origin and the CIE address for sales are mentioned)
- to access electronic CIE drafts in the same way as Division Members (but without voting right)

### 1.3.3 Associate Members

Associate Members have the right to participate in the work of any Technical Committee as TC member, and in this capacity have also the right to vote on TC drafts.

## 2. DIVISIONS AND TECHNICAL COMMITTEES

- 2.1 Each Division shall recommend to the Board of Administration persons to be considered for appointment as Division Director. The nominees do not need to be Division Member, but upon appointment shall become ex-officio Division Member without voting right, except in case of tie. Division Directors shall not normally serve for longer than two terms.
- 2.2 Meetings of Divisions shall be held at least twice each term. At Division meetings Division Members may be accompanied by persons without voting right.
- 2.3 Each Division shall make proposals for Working Programmes, to be submitted to the Board of Administration for approval, to be carried out by each Technical Committee.
- 2.4 The Division shall nominate a TC Chairperson for any Technical Committee it wishes to establish, the nomination to be submitted to the Board of Administration for approval. The nominee does not need to be a Division Member, but upon appointment shall become an ex-officio Division Member without voting right.
- 2.5 A TC Chairperson, with the approval of the Division, appoints members of the Technical Committee. In addition, National Committees or Associate National Committees may appoint a representative, who is prepared to be active. Alternatively, they can request to be circulated with all Technical Committee documents (paper copy or electronic documents, only downloadable from a server of the Commission).
- 2.6 A Technical Committee shall be dissolved when its specific task is completed, usually signalled by the publication of a document. At the stage of dissolution the TC Chairman shall send all relevant background material to the Central Bureau for archiving.
- 2.7 The minutes of Division meetings shall be sent to the Central Bureau and to the representative of any liaison organization.

- 2.8 A Division may nominate Associate Directors, to help the Division Director in the technical management of the Division, nominations to be submitted to the Board of Administration for approval. The nominees do not need to be Division Members, but upon appointment shall become ex-officio Division Members without voting rights.
- 2.9 A Division Director shall with the approval of the Division, appoint a Secretary, an Editor, Reporters and Liaison Officers to fulfil specific tasks within the Division. They do not need to be Division Members, but upon appointment shall become ex-officio Division Members without voting rights.
- 2.10 Division Director, Associate Director(s), Secretary and Editor are the Division Officers. These should come from countries where there is a National Committee or Associate National Committee.

### **3. MEETINGS**

#### **3.1 Meetings of General Assembly and Board of Administration**

- 3.1.1 The General Secretary shall be responsible for the preparation and circulation of notices of meetings, agendas and reference documents.
- 3.1.2 At meetings of the General Assembly and of the Board of Administration the General Secretary shall take minutes and circulate them as agreed by the Secretary. Minutes shall then be approved at the next meeting.
- 3.1.3 If no representative of a member country is able to attend a meeting of the General Assembly, then notice of a proxy vote, nominating an Officer (Member of the Board, see Statutes 6.4.1) or the General Assembly member of another National Committee known to attend, to represent the member, may be given. These proxies have to be briefed accordingly. The request for proxy must, normally, be given in writing to the General Secretary before the meeting. These proxy votes will only be counted in the ballots, with the approval of the General Assembly, in order to achieve a quorum.

#### **3.2 Technical Meetings, Congresses, Symposia**

- 3.2.1 The organization and conduct of Commission meetings shall be carried out in accordance with the relevant Codes of Procedure established and approved by the Board of Administration. Announcement and information on these meetings should be given at least six months in advance.
- 3.2.2 The working languages of jointly sponsored technical meetings should be in at least one of the official CIE languages. The language of the host country is permitted provided that simultaneous translation into one of the official CIE languages is available.

### **4. PUBLICATIONS**

- 4.1 Publications of the Commission shall include Standards, Technical Reports, Proceedings of Sessions and Symposia, Roster and other technical and administrative documents. The establishment of a new class of publications should be approved by the Board of Administration.

- 4.2 CIE Standards shall be drafted in one of the official CIE languages. An English version shall be circulated by the General Secretary. The final publication shall contain translations into the other two official languages, which shall be marked accordingly as "translations" (see Statutes 9.2).
- 4.3 CIE Technical Reports shall be published in English, with a summary in the two other languages. Approval for publication is by 2/3 positive vote in parallel ballots of the Division and Board of Administration of those having voted.
- 4.4 CIE News shall be prepared by the General Secretary to give information about the affairs and activities of the Commission. It shall be published normally four times a year and be circulated to National Committees, Associate National Committees, Supportive Members and Associate Members.
- 4.5 A CIE Roster shall be published once in a quadrennium (updates to be available on disk). This should normally include the names and addresses of National Committees and Associate National Committees and their President and Secretary, Officers of the Commission, Division Directors and officers of the Divisions, Division Members and TC Chairmen, Reporters and Liaison Officers, together with details of the technical activities of the Commission.
- 4.6 Proceedings of Sessions shall be published as laid down in the Code of Procedure for CIE Sessions.
- 4.7 Policy on translations of CIE publications:
  - 4.7.1 CIE permits the translation of the text only (without figures and tables) provided that the translation clearly states that it does not replace the official publication. National Committees and Associate National Committees wishing to produce a translation are free to do so, they shall send 5 complimentary copies to the CIE Central Bureau and have to sell the original publication along with the translation as a supplement. The Central Bureau is permitted to sell the translation with the original publication to third countries.
  - 4.7.2 National Committees and Associate National Committees who wish to translate the total document should request permission from the CIE Central Bureau, who will supply a master copy of the art-work to be used and a full copy of the publication (at NC price). National Committees will inform the CIE Central Bureau of their selling price and will pay to CIE a royalty of 20 % of this price for every copy sold. It has to be indicated on the translation that the National Committee is responsible for the accuracy of the translation and that in case of ambiguity the CIE version is the official one.
  - 4.7.3 Requests from countries where there is no National Committee or Associate National Committee are to be considered by the Board on a case-to-case basis.
- 4.8 CIE Copyright
  - 4.8.1 The outcome of the TC work is the property of CIE. CIE holds copyright on all its technical publications. Technical publications, or parts of such publications, may not be translated, or reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage and retrieval system, without permission in writing from the CIE Central Bureau.

## 5. INTELLECTUAL PROPERTY

### 5.1 Reference to patent rights

If technical reasons justify the preparation of a CIE Standard or Technical Report in terms that include the use of items covered by patent rights, the procedures detailed in the Code of Procedure for Divisions and TCs 2.5.2.16 shall be complied with.

“Relevant patent rights” means any issued or registered patent, without use of which a proposed CIE Standard or Technical Report cannot be practised in a commercially reasonable and efficient manner.

The originator shall ask any holder of such identified patent rights for a statement that the holder would be willing to negotiate worldwide licenses under his rights with applicants throughout the world on reasonable and non-discriminatory terms and conditions or for free, provided a similar grant under the licensee's patents within the scope of the license granted to the licensee is made available to the patent holder of relevant patent rights.

If the right holder does not provide such a statement, the Technical Committee concerned shall not proceed with inclusion of an item covered by a patent right in the CIE Standard or Technical Report without authorization from the Board of Administration.

Should it be revealed after publication of a CIE Standard or Technical Report that licenses under patent rights, which appear to cover items included in the standard, cannot be obtained under reasonable and non-discriminatory terms and conditions, the CIE Standard or Technical Report shall be referred back to the relevant Technical Committee for further consideration.